IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

THURSDAY, THE FIFTH DAY OF JANUARY
TWO THOUSAND AND SIX

PRESENT

THE HON'BLE MR JUSTICE V.ESWARAIAH

WRIT PETITION No. 97 of 2006

Between:

R. Anjaneyulu

..... PETITIONER

AND

The Commissioner of Proh. & Excise,

Government of A.P., Opp : Exhibition Ground,
Nampally, Hyderabad and another

.....RESPONDENTS

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ORDER:

Heard the learned counsel for the petitioner and the learned Government Pleader for Prohibition and Excise.

The petitioner submits that he has filed an application before the 2nd respondent, requesting for sanction of Restaurant and Bar License in Form-B, by complying the requisite formalities, such as paying Rs.10,000/- by way of challan dated 13.06.2005. It is stated that the said application has not been processed to the superior officers of Prohibition and Excise and no proposals have been forwarded to the Commissioner of Prohibition and Excise, who is competent authority to sanction Form-2B license.

Though the petitioner seeks to issue a Writ of Mandamus, declaring the action of the respondents in not issuing Form-2B license by collecting the proportionate license fee from the date of issuing the license, I am not inclined to consider the request of the petitioner as batch of the writ petitions are pending on the file of this Court to decide as to whether the licensees are entitled to pay full year fee from the date of issuing the license. The petitioner submits that the petitioner may be given opportunity to question the said issue in separate proceedings.

Having regard to the facts and circumstances of the case, I deem it appropriate to dispose of the writ petition, with a direction to the 1st respondent to process the application of the petitioner dated 14.06.2005 and take

appropriate action, and if the petitioner failed to fulfil any of the requisite formalities, the same may be informed to the petitioner, and if the petitioner fulfils all the requisite terms and conditions for grant Form-2B license, proposals may be sent to the 1st respondent immediately, so as to enable him to pass appropriate orders, within a period of six weeks from the date of receipt of a copy of this order.

With the above observations, the Writ Petition is disposed of. No order as to costs.

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V.ESWARAIAH,J

Dated: 05.01.2006

Dsr